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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10                   WILLIAM HEATHCOTE, individually and  
11                   on behalf of all others similarly situated,

12    Plaintiff,

13    v.

14                   SPINX GAMES LIMITED, GRANDE GAMES  
15                   LIMITED, and BEIJING BOLE  
16                   TECHNOLOGY CO., LTD.,

17    Defendants.

18    Case No. 2:20-cv-01310-RSM

19    **JOINT STIPULATION AND**  
20    **ORDER TO SUBSTITUTE NAMED**  
21    **PLAINTIFF**

## **STIPULATION**

Plaintiff William Heathcote (“Plaintiff”), by and through his mother, Ms. Alma Sue Croft (“Ms. Croft”), and Defendants SpinX Games Limited, Grande Games Limited, and Beijing Bole Technology Co., Ltd. (“Defendants”) (collectively, the “Parties”), by and through undersigned counsel and pursuant to Fed. R. Civ. P. 25(a)(1), hereby stipulate as follows:

WHEREAS, Plaintiff filed a First Amended Complaint on April 9, 2021;

WHEREAS, the Parties mediated this case before Hon. Layn R. Phillips (Ret.) of Phillips ADR Enterprises on October 20, 2021, and, as a result of the mediation, executed a binding Term Sheet encompassing all material terms of a Class Action Settlement;

WHEREAS, since October 20, 2021, the Parties have been engaged in substantial negotiations in furtherance of finalizing and executing a long form Class Action Settlement, and all necessary exhibits thereto;

WHEREAS, on January 5, 2022, as the parties were on the cusp of finalizing the long form settlement agreement, Plaintiff William Heathcote passed away, leaving his mother, Ms. Croft, as his sole surviving heir;

WHEREAS, Ms. Croft has been in regular contact with Plaintiff's counsel, and wishes to proceed with her late son's claim as the class representative in this matter while assuming all roles and responsibilities of her late son's duties as class representative;

WHEREAS, the Plaintiff contends that Ms. Croft is the proper party for substitution under Fed. R. Civ. P. 25(a)(1), as detailed in Plaintiff's Stipulated Motion to Substitute Alma Sue Croft for her Late Son and Deceased Class Representative William Heathcote (ECF No. 47);

WHEREAS, Defendants do not oppose and stipulate to the substitution;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and between the Parties to this action, through their undersigned counsel, and subject to the Court's approval, that Ms. Alma Sue Croft shall be substituted for her deceased son, William Heathcote, as named Plaintiff in this action.

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2 Dated: February 16, 2022

Respectfully submitted,

3 **CARSON NOEL PLLC**  
4 By: /s/ Wright A. Noel  
Wright A. Noel

5 Wright A. Noel (State Bar No. 25264)  
6 20 Sixth Avenue NE  
7 Issaquah, WA 98027  
8 Telephone: (425) 837-4717  
Facsimile: (425) 837-5396  
Email: wright@carsonnoel.com

9 **BURSOR & FISHER, P.A.**  
10 By: /s/ Philip L. Fraietta  
Philip L. Fraietta

11 Philip L. Fraietta (*pro hac vice*)  
12 Alec M. Leslie (*pro hac vice*)  
888 Seventh Avenue  
13 New York, NY 10019  
14 Telephone: (646) 837-7150  
Facsimile: (212) 989-9163  
15 E-Mail: pfraietta@bursor.com  
aleslie@bursor.com

16 *Attorneys for Plaintiff*

17 Dated: February 16, 2022

18 **BYRNES KELLER CROMWELL LLP**  
By /s/ John A. Tondini  
19 John A. Tondini, WSBA #19092  
1000 Second Avenue, 38th Floor  
20 Seattle, WA 98104  
Telephone: (206) 622-2000  
jtondini@byrneskeller.com

21 Ajay S. Krishnan (*pro hac vice*)  
22 Michelle Ybarra (*pro hac vice*)  
23 Patrick E. Murray (*pro hac vice*)  
24 Connie P. Sung (*pro hac vice*)  
Keker, Van Nest & Peters LLP  
25 633 Battery Street  
San Francisco, CA 94111-1809

26 *Attorneys for Defendants*

## ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED this 22<sup>nd</sup> day of February, 2022.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE